

Article 12. Signs

16-1201 Signs may be permitted in all districts as described in this Article. All signs shall be non-illuminated and non-moving unless otherwise specified.

1201.1 DISTRICT R-1, SINGLE FAMILY DISTRICT AND DISTRICT A, AGRICULTURE DISTRICT.

- A. One non-illuminated sign per building, not more than six (6) square feet in area, mounted on the building, indicating a permitted home occupation.
- B. One semi-illuminated or indirectly illuminated or non-illuminated detached sign per church, not more than twenty (20) square feet on church premises.
- C. One non-illuminated sign per building, not more than thirty-two (32) square feet in area, showing names or architects, engineers, builders, or contractors on the premises of a building being constructed, at a minimum distance of ten (10) feet from the property line, provided such sign shall be removed upon completion of the building and provided further that such sign shall carry no other advertising. The mounting of said sign shall be prohibited on any vehicle or portion of any vehicle.
- D. There shall be allowed two (2) non-illuminated temporary "For Sale" or "For Rent" signs per lot, not to exceed eight (8) square feet in area.
- E. No sign in this Section shall exceed eight (8) feet in overall height, including the structure supporting the sign.
- F. Residential Project Identification Signs. Project identification signs for a subdivision or residential project may be permitted at each entrance to the subdivision or project. All project identification signs shall be ground-based signs with a minimum of fifty percent (50%) of the base enclosed and shall be located on the premises. The signs may be non-illuminated, indirectly-illuminated or internally-illuminated. Such signs shall not exceed six (6) feet in overall height above the average grade, and the sign face shall not exceed thirty-two (32) square feet in area per face. If not sitting within a landscape area, the sign base shall be located within a curbed landscape area, extending a minimum of three (3) feet on all sides of the sign base. Where a project is situated on both sides of a public or private street, one project identification sign may be located on each side of the street, or, alternatively, one project identification sign may be located in a landscaped median. A copy of the bylaws or other documentation of the association which will have permanent responsibility for maintenance of the sign and required landscaping shall be submitted with the permit. (Ord. 1885, Sec. 1)

1201.2 DISTRICT R-2, TWO FAMILY RESIDENTIAL DISTRICT.

- A. Signs shall be permitted as provided under District R-1 above.

1201.3 DISTRICT R-3, R-4, AND R-5, GARDEN APARTMENT, CONDOMINIUM AND APARTMENT HOUSE DISTRICTS.

- A. Signs shall be permitted as provided under District R-1 above.
- B. For any one ownership containing a multifamily use, there shall be permitted only one (1) non-illuminated detached sign for each Twenty Thousand (20,000) square feet of land area, identifying the use, not more than twenty (20) square feet in area and not more than eight (8) feet high overall inclusive of the structure supporting the sign, and such sign shall be located not more than one (1) foot in front of a front or side building setback line. Such signs shall bear no advertising.

1201.4 DISTRICTS C-O AND CO-A, OFFICE BUILDING DISTRICT.

- A. Signs shall be permitted for uses permitted in Districts R-1 through R-5, which are located in this district. Requirements for signs shall be as provided under Districts R-1 through R-5 above.
- B. Not more than two non-illuminated, indirectly illuminated or semi-illuminated wall signs shall be permitted on each office building, provided such signs shall indicate only the name of the building or establishments housed therein. No such sign shall have an overall area exceeding five percent (5%) of the area of the wall upon which it is mounted. In lieu of one (1) of the wall signs permitted above, one (1) detached sign may be permitted.

Detached signs must be built on a solid base at least 50% the width of the sign face and shall be low in profile. Detached signs may be single or double faced. Detached signs may be non-illuminated, indirectly-illuminated or internally-illuminated. The sign face and base shall not exceed six (6) feet in overall height above the natural or average grade. The actual sign face shall not exceed twenty-five (25) square feet in area per face if set back the minimum of ten (10) feet from the property line. For each additional five (5) feet of setback, the overall sign height may be increased two (2) feet and the sign face may be increased ten (10) square feet to a maximum of fifteen (15) feet in overall sign height and sixty-five (65) square feet per sign face. When a single business or complex is located on a site more than five (5) acres, in commercial or industrial districts, the detached sign may be increased to a maximum height of twenty-one (21) feet and a maximum sign area of ninety-five (95) square feet. The sign base area shall not exceed the actual sign face area by more than ten (10) percent. If not sitting within a landscape area, the sign base shall be located within a curbed landscape area, extending a minimum of three (3) feet on all sides of the sign base. (Ord. 1885, Sec. 2)

1201.5 DISTRICT C-1, RESTRICTED BUSINESS DISTRICT.

- A. Signs shall be permitted for uses permitted in districts R-1 through R-5, which are located in this district as provided under District R-1 through R-5 above.
- B. Each business or commercial establishment shall be permitted not more than two (2) non-illuminated, semi-illuminated, or indirectly illuminated wall signs, not more than one on a facade, provided the

area of each sign shall not exceed five percent (5%) of the total area of the facade upon which it is placed. In lieu of one of the above wall signs, one projecting sign shall extend more than four (4) feet from the face of the building. (Such signs shall not extend above the height of the wall upon which they are mounted nor extend closer than ten (10) feet from the ground.) (In addition, one non-illuminated wall sign, not more than nine (9) square feet in area, may be placed at each major entrance to the building.) Any signs painted directly upon wall surfaces shall not be larger than ten (10) square feet in area.

- C. In lieu of one of the above attached signs, businesses in this district with a minimum setback of ten (10) feet will be permitted one detached sign.

Detached signs must be built on a solid base at least 50% the width of the sign face and shall be low in profile. Detached signs may be single or double faced. Detached signs may be non-illuminated, indirectly-illuminated or internally-illuminated. The sign face and base shall not exceed six (6) feet in overall height above the natural or average grade. The actual sign face shall not exceed twenty-five (25) square feet in area per face if set back the minimum of ten (10) feet from the property line. For each additional five (5) feet of setback, the overall sign height may be increased two (2) feet and the sign face may be increased ten (10) square feet to a maximum of fifteen (15) feet in overall sign height and sixty-five (65) square feet per sign face. When a single business or complex is located on a site more than five (5) acres, in commercial or industrial districts, the detached sign may be increased to a maximum height of twenty-one (21) feet and a maximum sign area of ninety-five (95) square feet. The sign base area shall not exceed the actual sign face area by more than ten (10) percent. If not sitting within a landscape area, the sign base shall be located within a curbed landscape area, extending a minimum of three (3) feet on all sides of the sign base. (Ord. 1885, Sec. 3)

1201.6 DISTRICT C-2, GENERAL BUSINESS DISTRICT.

- A. Signs shall be permitted for uses permitted in Districts R-1 through C-1, which are located in this district as provided under Districts R-1 through C-1 above.
- B. Each business or commercial establishment shall be permitted not more than three (3) indirectly illuminated, semi-illuminated, or non-illuminated wall or marquee signs, not more than one on a facade, the total area of which sign shall not exceed ten percent (10%) of the total area of the facade upon which it is placed. Such signs shall not extend more than twenty-five (25) feet above ground level. Any signs painted directly upon wall surfaces shall not exceed ten (10) square feet in area.
- C. In lieu of one of the above attached signs, one detached sign may be permitted.

Detached signs must be built on a solid base at least 50% the width of the sign face and shall be low in profile. Detached signs may be single or double faced. Detached signs may be non-illuminated, indirectly-illuminated or internally-illuminated. The sign

face and base shall not exceed six (6) feet in overall height above the natural or average grade. The actual sign face shall not exceed twenty-five (25) square feet in area per face if set back the minimum of ten (10) feet from the property line. For each additional five (5) feet of setback, the overall sign height may be increased two (2) feet and the sign face may be increased ten (10) square feet to a maximum of fifteen (15) feet in overall sign height and sixty-five (65) square feet per sign face. When a single business or complex is located on a site more than five (5) acres, in commercial or industrial districts, the detached sign may be increased to a maximum height of twenty-one (21) feet and a maximum sign area of ninety-five (95) square feet. The sign base area shall not exceed the actual sign face area by more than ten (10) percent. If not sitting within a landscape area, the sign base shall be located within a curbed landscape area, extending a minimum of three (3) feet on all sides of the sign base. (Ord. 1885, Sec. 4)

1201.7 DISTRICT C-3, COMMERCIAL DISTRICT.

- A. Signs shall be permitted as provided in District C-2. (Ord. 1810, Sec. 1)
- B. Not more than three (3) signs of all types of degrees of illuminations shall be permitted. No sign shall be located closer than ten (10) feet to a property line and no sign shall exceed two hundred (200) square feet in area for each exposed face. (Ord. 1912, Sec. 1)
- C. For properties located within 1,000 feet of an interstate, the following regulations shall apply:
 - 1. Each business or commercial establishment shall be permitted not more than three (3) indirectly illuminated, semi-illuminated or non-illuminated wall or marquee signs, not more than one on a facade, the total area of which sign shall not exceed ten percent (10%) of the total area of the facade upon which it is placed. Such signs shall not extend more than twenty-five (25) feet above ground level. Any signs painted directly upon wall surfaces shall not exceed ten (10) square feet in area. (Ord. 1810, Sec. 1)
 - 2. In lieu of one of the above attached signs, one detached sign per free-standing building shall be allowed, with a maximum height of seventy-five (75) feet in height and a maximum size of three hundred (300) square per face, per business. The total square footage may be shared by businesses sharing a common sign pole. Detached signs shall be located not less than ten (10) feet from the property line. (Ord. 1810, Sec. 1)
 - 3. Each gasoline service station shall be allowed one (1) additional detached sign not to exceed twenty-five feet (25) in height nor one hundred (100) square feet per face to advertise the name of the service station and the gasoline prices. (Ord. 1810, Sec. 1)

- 1201.8 DISTRICTS M-1 AND M-2, RESTRICTED GENERAL AND HEAVY INDUSTRIAL DISTRICTS.
- A. Signs shall be permitted as provided in District C-3. (Ord. 1912, Sec. 1)
 - B. Repealed by Ordinance Number 1912, Section 3, February 16, 1998.
- 1201.9 SIGNS FOR TRAFFIC CONTROL ON PRIVATE PROPERTY. Signs indicating directional traffic movement, vehicular control, parking restrictions, and specific instructions for the control of vehicles or pedestrians will be permitted within Districts R-3 through R-5; C-O through C-3 and M-1 and M-2 in addition to the specific sign requirements within such districts as set forth above. All traffic control signs on private property shall conform to Uniform Traffic Control device standards.
- 1201.10 PROJECT ANNOUNCEMENT AND PROMOTIONAL SIGN.
- A. One indirectly illuminated or non-illuminated sign displaying information pertinent to an undeveloped subdivision, apartment complex, shopping center, or industrial district shall be permitted within that ownership, provided that no such sign shall be closer than two hundred (200) feet to an occupied dwelling. Such signs shall be permitted on undeveloped tracts of at least ten (10) acres in area and shall not exceed three hundred (300) square feet for ten (10) acres plus one hundred fifty (150) square feet for each additional ten (10) acres in the development site.
 - B. Outdoor bulletin boards not over six (6) square feet in area for the promotion of a civic, welfare, or charitable purpose, when the same are located on the premises of said institutions. They shall not be erected for more than a period of seven (7) days and shall be the responsibility of the organization for the removal of the sign, and shall have no commercial advertising on the sign.
 - C. Memorial signs or tablets, names of buildings, and date of erection, when cut into any masonry surface or when constructed of bronze or other incombustible material, will be permitted in any zoning district.
- 1201.11 TEMPORARY SIGNS. All political signs, real estate signs, garage sale signs, or other signs of a temporary nature shall conform with the following requirements:
- A. General Requirements - Temporary Signs:
 - 1. No temporary signs of any nature shall be attached to any public utility pole or shall be installed within the right-of-way of a public road or street.
 - 2. No temporary sign shall be erected without the property owner's permission.
 - 3. It shall be the responsibility of the person who causes the temporary sign to be erected to see that the temporary sign is removed within 30 days, unless specifically noted otherwise.

B. Political Signs:

1. Political signs shall not exceed sixteen (16) square feet in face area.
2. Such sign shall be at least ten (10) feet from the property line.
3. Political signs designating a political event or particular person shall be no closer than seventy (70) feet apart.
4. It shall be the responsibility of the property owner who gives written permission for the use of his/her property for such signs, or the political party for the political candidate, to have these signs removed not later than five (5) days after the election or event to which they pertain and they shall not be erected earlier than ninety (90) days prior to the election or event to which they pertain.

C. Garage Sale and Similar Signs:

1. Advertising signs for a personal gain or residential property (i.e. - Garage Sales) shall not be erected without the property owner's consent. Such signs shall not exceed sixteen (16) square feet.
2. Temporary signs shall not be displayed for a period exceeding five (5) days.

D. Real Estate Signs:

1. Real estate type signs (For Sale or For Rent) shall be located within the real estate parcel described on the sign.
2. Two signs permitted per property, not over sixteen (16) square feet in size. The signs shall be valid until the property is sold.
3. In addition to the above mentioned signs, two (2) directional real estate signs shall be permitted per property or subdivision whichever the case may be.

E. Portable Signs:

1. Portable signs shall include all signs not permanently affixed to the ground or to a building or structure such as signs mounted on vehicles or wheels or any sign designed for such purpose whether or not mounted on a vehicle or wheels.
2. Such signs shall be permitted for a maximum period of thirty (30) calendar days, in each calendar year.
3. Portable signs, as described, may be moved from place to place but shall not be located within public right-of-way during said period.

1201.12 OBSCENE MATTER PROHIBITED.

- A. It shall be unlawful for any person to display upon any sign or other advertising structure, any obscene matter.

1201.13 SIGNS NOT TO CONSITUTE A TRAFFIC HAZARD OR PUBLIC NUISANCE.

- A. No sign or other advertising structure shall include attention attracting devices.
- B. No sign or other advertising structure as regulated by this Ordinance shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the intensity, position, shape, or color, it may interfere with, obstruct the view, or be confused with any traffic sign, signal, or device; or which makes use of words "Stop", "Look", "Drive-In", "Danger", or any word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.
- C. No part of any sign shall be located less than ten (10) feet from a side or rear property line, nor less than thirty-five (35) feet from the centerline of a single-family residential street, nor less than forty (40) feet from the centerline of a multifamily, commercial, industrial, or secondary thoroughfare street nor less than fifty (50) feet from the centerline of a primary thoroughfare, nor less than sixty-five (65) feet from the centerline of an arterial thoroughfare, nor less than ten (10) feet from a street right-of-way line, whichever provides the greater setback.
- D. No sign, nor the illumination thereof shall create a public nuisance.

1201.14 STRUCTURAL QUALITY.

- A. All permanent signs shall be of sound structural quality, be maintained in good repair, have a clean and neat appearance and land adjacent to such signs shall be kept free from debris, weeds, and trash.
- B. All signs as permitted above shall be so constructed and installed as to be satisfactory to the Codes Administrator.
- C. If signs become unsafe or in need of repair or repaint, the owner of the sign will repair or remove the sign within thirty (30) days of written notice from the Codes Administrator.

1201.15 SIGN PERMITS.

- A. No permanent sign or portable sign shall be installed, erected, or set in place until a sign permit has been issued therefore by the City of Gardner. The Codes Administrator will review, approve, and issue sign permits after payment of permit fee.
- B. Applications for a sign permit shall be made in duplicate upon forms provided by the Codes Administrator, and unless specifically waived

by the Codes Administrator, shall contain, or have attached thereto, the following information.

1. Name, address, and telephone number of applicant.
2. Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be erected.
3. Position of the sign in relation to nearby buildings or structures.
4. Two sets of drawings and specifications showing the proposed structure and the method of construction and attachment to the building or in the ground.
5. Copy of the stress and design calculations showing the structure is designed for adequate dead load and wind pressure in any direction.
6. The name of the person, firm, corporation, or association erecting the structure.
7. Evidence that the electrical system for the sign complies with the National Electrical Code, as revised.
8. Estimated total value of proposed sign, including costs of erection.
9. Such other information as the Codes Administrator shall require to show full compliance with this and all other laws and ordinances of the City.
10. It shall be the duty of the Codes Administrator after having issued the permit, to follow up on the structure. If the work authorized under the permit has not been started within three (3) months of date of issuance, the said permit shall become null and void.
11. In making application for the sign permit, each applicant shall be required to issue written permission to the City of Gardner for the Codes Administrator or his/her representatives to enter the private property upon which the sign is to be erected to inspect such sign whenever deemed necessary by the Codes Administrator.
12. All rights and privileges acquired under the provisions of this Ordinance or any amendment hereto, are mere licenses revocable at any time by the Codes Administrator. All such permits shall be subject to this provision. This shall also include unsafe or unlawful areas.
13. The Codes Administrator is hereby authorized and empowered to revoke any permit issued by him/her upon failure of the holder thereof to comply with the public safety provisions of this Ordinance.

- C. When a permanent sign is altered, rebuilt, extended, or relocated, a new sign permit shall be obtained from the City of Gardner and a permit fee shall be applied.
- 1201.16 SIGN PERMIT FEES. For all permanent signs for which a permit is required a fee shall be paid as established by the Governing Body by Resolution. There shall be no fee for temporary signs. (Ord. 2019, Sec. 1)
- 1201.17 SIGN INSPECTION. The Codes Administrator, when he/she considers it necessary, shall inspect each sign or other advertising structures regulated by this Ordinance for the purpose of ascertaining whether it is in need of repair or removal.
- 1201.18 NON-CONFORMING EXISTING SIGNS. Every sign or other advertising structure lawfully in existence at the adoption of this Ordinance shall not be altered, except in a manner which complies with requirements of this Ordinance.